

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jay Hosler, Peter Lothberg
Assignee: Cisco Technology, Inc.
Title: Reflector Communications Channel for Automatic Protection Switching
Serial No.: ~~09/452,001~~
 091752,001 Filing Date: December 29, 2000
Examiner: Unassigned Group Art Unit: 2661
Docket No.: CIS0034C1US

Austin, Texas
October 3, 2005

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A
COPENDING APPLICATION

Sir:

Petitioner, Cisco Technology, Inc. a California corporation having a place of business at 170 W. Tasman Drive, San Jose, California 95134 is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of copending Application No. 09/537,439. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Application No.: ~~09/452,001~~

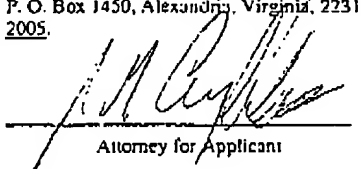
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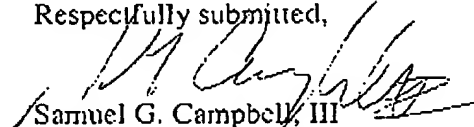
In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In compliance with 37 C.F.R. § 1.20(d), the commissioner is authorized to charge the fee of \$130.00 to Deposit Account No. 502306 for this Terminal Disclaimer as set forth in the enclosed transmittal letter.

The undersigned represents that he is authorized to sign on behalf of Petitioner.

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| I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on <u>October 3, 2005</u> . | |
|  | <u>10/3/05</u> |
| Attorney for Applicant | Date of Signature |

Respectfully submitted,


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